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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Amendment of Section 73.202(b),)
Table of Allotments,)
FM Broadcast Stations)
Dubois, Wyoming)

To: Marlene H. Dortch, Secretary
Attn: Audio Division, Media Bureau

FILED/ACCEPTED

NOV 17 2008

Federal Communications Commission
Office of the Secretary

PETITION FOR RULEMAKING

Lorenz E. Proietti ("Proietti"), pursuant to Section 1.401, 47 C.F.R. § 1.401, files this Petition for Rulemaking. Specifically, Proietti seeks to allocate a new channel 242C2 to Dubois, Wyoming.¹

Channel 242C2 can be allotted at the proposed tower site at 43° 29' 59" N, 109° 41' 17" W (NAD 27). This will allow for a fully spaced allocation and first service for channel 242C2 at Dubois.

Allocation of channel 242C2 at Dubois is in the public interest since it will provide a first transmission service to Dubois. Provision of a first transmission service is a high priority under Section 47 U.S.C. 307(b). See *Hart, Pentwater and Coopersville, Michigan*, 19 FCC Rcd 1886 (2004); *Columbus and Monona, Wisconsin*, 21 FCC Rcd 10012 (2006), *Eatonton and Lexington, Georgia*, 21 FCC Rcd 10032 (2006), *Southwest City, Missouri*, and *Gravette, Arkansas*, 21 FCC Rcd 6279 (2006). As Dubois is an independent community, it is deserving of its own local service. See *Memphis and Arlington, Tennessee*, 21 FCC Rcd 1144 (2006); *LaGrange*,

¹Pursuant to the procedures in the Report and Order *Revision of Procedures Governing Amendments To FM Table of Allotments and Changes of Community of License in the Radio Broadcast Services*, 2006 FCC LEXIS 6246 (2006), Proietti has filed a FCC Form 301 application proposing allocation of channel 242C2 at Dubois.

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Greenville and Waverly Hall, Georgia, 20 FCC Rcd 20007 (2006); *Athens and Doraville, Georgia*, 19 FCC Rcd 18746 (2004); *Franklin, Addis and Eunice, Louisiana*, 21 FCC Rcd 2933 (2006). There are no radio or television stations licensed to Dubois.

Furthermore, Dubois is a community for allocation purposes. It is incorporated and was listed in the 2000 U.S. Census as having a population of 962 people. It is, therefore, considered a community for allotment purposes. See *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982). Dubois has its own post office, zip code, and elected town government, as well as several restaurants, stores, businesses, and churches.

WHEREFORE, Proietti requests that the following channel be allocated:

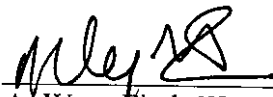
Community
Dubois, Wyoming

Channel
242C2

In the event Channel 242C2 is allocated to Dubois, Wyoming, Proietti will participate in an auction for the station, file an application for a construction permit and, if his application is granted, will build the station.

Respectfully submitted,

LORENZ E. PROIETTI

By: 
A. Wray Fitch III
His counsel

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November 17, 2008

TECHNICAL STATEMENT
PETITION FOR RULE MAKING
LORENZ E. PROETTI
NEW FM ALLOTMENT
DUBOIS, WYOMING 242C2
NOVEMBER 2008

This technical statement is in support of a Petition for Rule Making for channel 242C2 to be allotted to Dubois, Wyoming as its first local service.

The required FCC form 301 application is being submitted with this petition which specifies a fully spaced 73.207 site on channel 242C2 and provides 70 dB μ city grade service to Dubois.

Exhibit E-1, Figure 1 shows a channel spacing study from the new proposed site at Dubois. It shows that all spacing can be met under 73.207. Exhibit E-2 shows that the required 70 dB μ city grade service will be provided at Dubois. It also shows that all of the community of Dubois is within 32.6 kilometers of the proposed site.

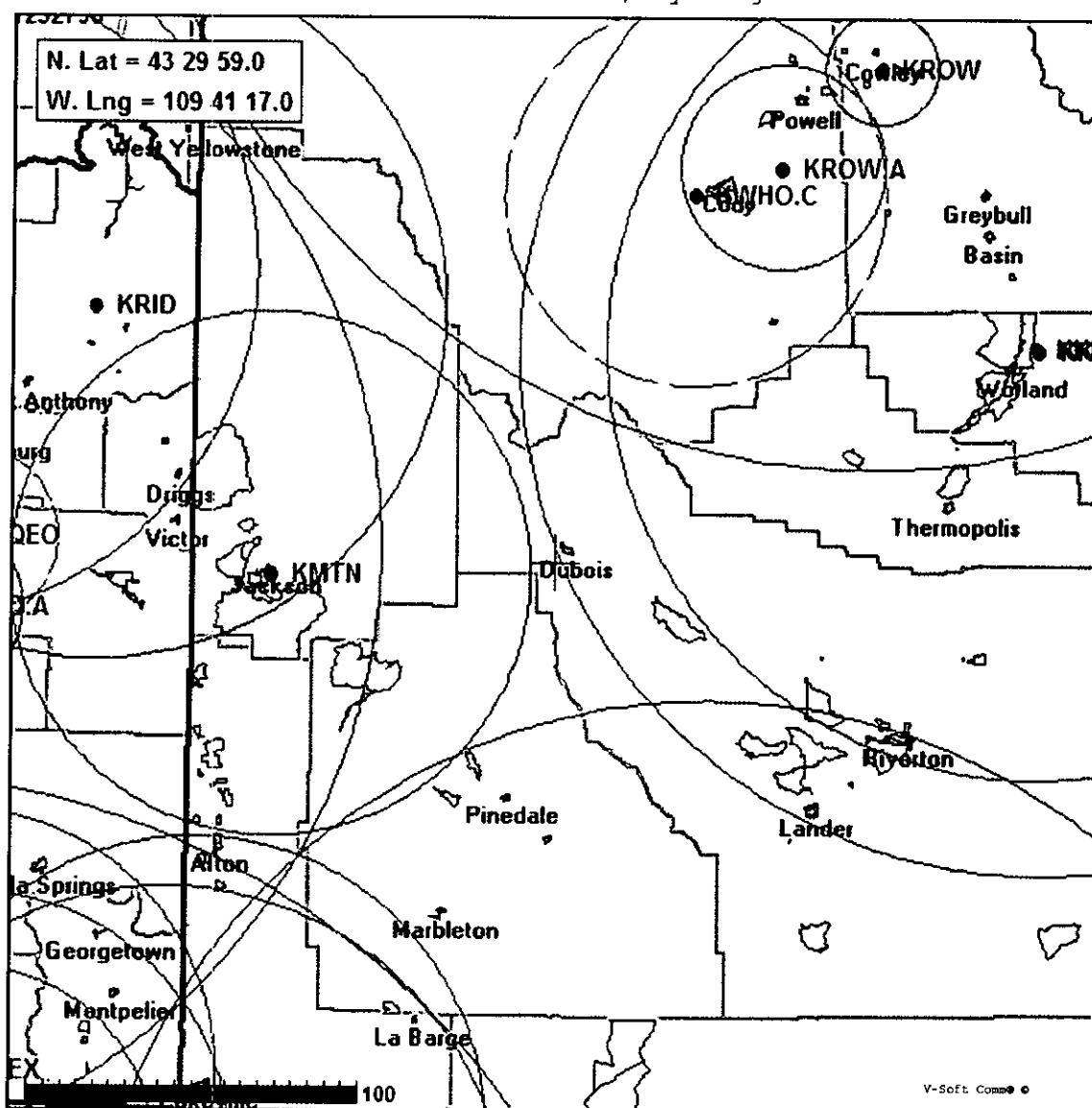
It was concluded that channel 242C2 can be allotted to Dubois, Wyoming and meet all of the requirements under 73.207.

Respectfully Submitted,

Kevin J. Youngers
1951 28th Ave, unit 29
Greeley, CO 80634
970-302-8444

CH 242 C2 96.3 MHz

Current Spacings to 3rd Adj.
Exhibit E-1, Fig 1, Channel Spacing Study
242 C2 Dubois, Wyoming



Data Date:11-06-08 Job Date:11-07-08

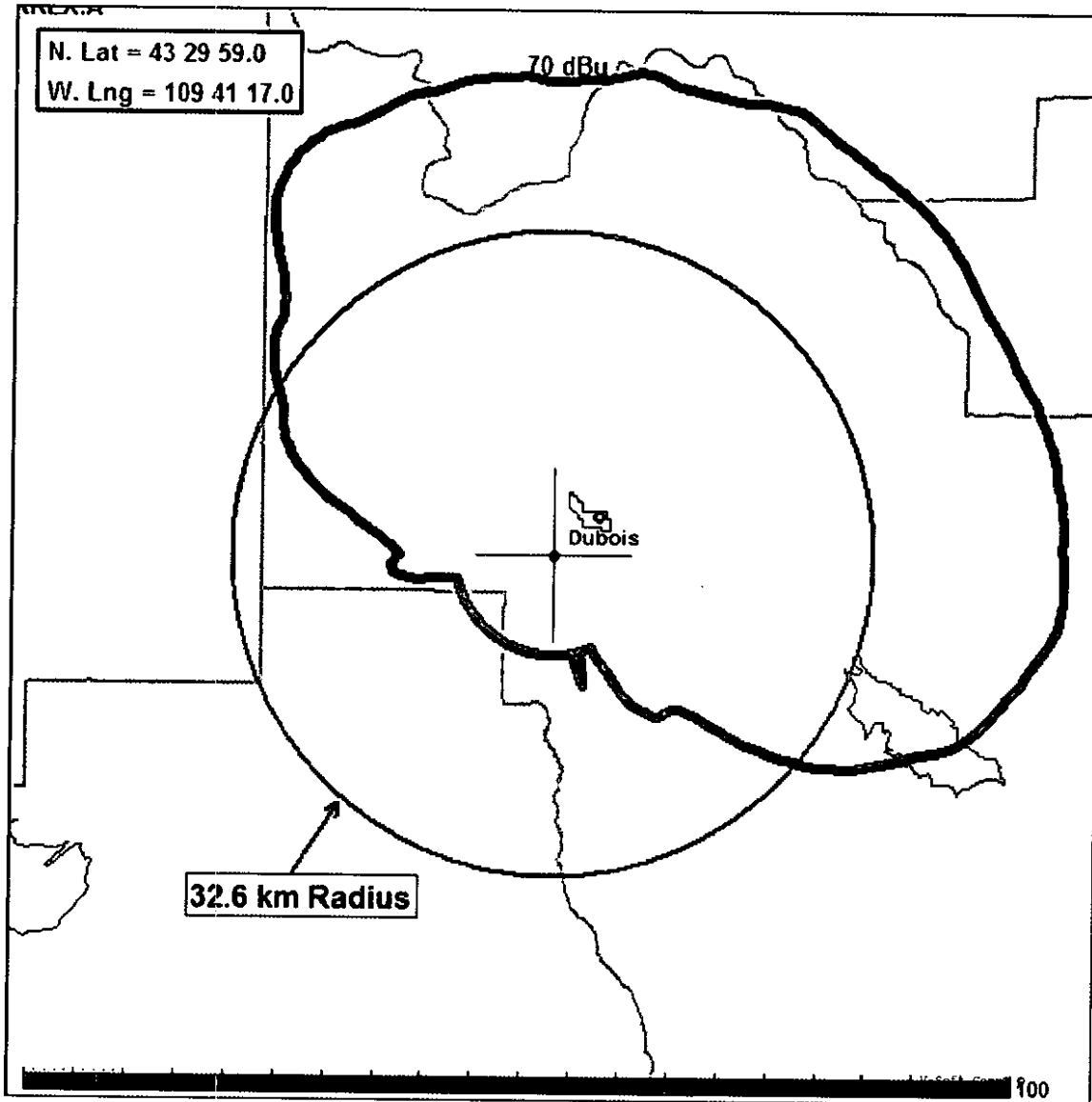
Call	CH#	Type	Location		Azi	D-KM	FCC	Margin
KKLX.A	241C1	APP	Worland	WY	66.5	160.22	158.0	2.22
KKLX.C	241C1	CP	Worland	WY	66.5	160.22	158.0	2.22
KMTN	245C1	LIC	Jackson	WY	267.5	86.24	79.0	7.24
KKLX	241C2	LIC	Worland	WY	66.0	159.71	130.0	29.71
KRZN	242C1	LIC	Billings	MT	20.8	269.65	224.0	45.65
KQSW	243C	LIC	Rock Springs	WY	168.3	234.47	188.0	46.47
KID-FM	241C	LIC	Idaho Falls	ID	271.0	240.68	188.0	52.68
KRID	243A	LIC	Ashton	ID	298.9	158.90	106.0	52.90
KWHO.C	244C2	CP -Z	Cody	WY	20.8	118.75	58.0	60.75
KROW.A	296C0	APP	Lovell	WY	30.0	137.84	31.0	106.84
AL2547	243A	RSV	Dubois	ID	294.1	215.30	106.0	109.30
AL2450	240C0	RSV	Randolph	UT	212.3	203.35	89.0	114.35
KXRK	242C	LIC	Provo	UT	214.1	377.86	249.0	128.86
KMGR	240C	RSV	Randolph	UT	210.0	234.44	105.0	129.44
KQEO	296C1	LIC N	Idaho Falls	ID	272.3	177.64	27.0	150.64
KKEX	244C1	RSV	Preston	ID	229.6	237.33	79.0	158.33
KQEO.A	296C1	APP	Idaho Falls	ID	265.8	188.58	27.0	161.58

Page # 2

Call	CH#	Type	Location		Azi	D-KM	FCC	Margin
KQEO	296C1	RSV	Idaho Falls	ID	265.8	188.58	27.0	161.58
KROW	296C3	LIC	Lovell	WY	33.4	179.00	17.0	162.00
KKEX.A	244C1	APP	Preston	ID	224.5	250.82	79.0	171.82
AL9952	244C1	RSV	Smithfield	UT	224.5	250.82	79.0	171.82
KKEX	244C1	LIC	Preston	ID	224.5	250.82	79.0	171.82
KLZX	240C3	LIC	Weston	ID	224.5	250.82	56.0	194.82
KISN	244C2	LIC	Belgrade	MT	339.3	259.05	58.0	201.05
KMGR.A	240C	APP	Randolph	UT	200.7	311.30	105.0	206.30
VA9453	240C3	VAC	Bozeman	MT	336.7	264.94	56.0	208.94
KMGW	244C2	LIC N	Casper	WY	105.9	287.72	58.0	229.72
KMGW.A	244C2	APP N	Casper	WY	105.9	287.72	58.0	229.72
KMGW.A	244C2	APP N	Casper	WY	105.9	287.72	58.0	229.72
KEGH	295C	LIC N	Brigham City	UT	228.4	282.57	35.0	247.57
KSCY.C	295C2	CP	Four Corners	MT	332.8	268.71	20.0	248.71
KLCY.C	245C1	CP N	Vernal	UT	180.2	328.99	79.0	249.99
KLCY.C	245C1	CP N	Vernal	UT	180.2	328.99	79.0	249.99

CH 242 C2 96.3 MHz

Current Spacings to 3rd Adj.
Exhibit E-1, Fig 2, Community Coverage
242 C2 Dubois, Wyoming



Data Date:11-06-08 Job Date:11-07-08

Call	CH#	Type	Location	Azi	D-KM	FCC	Margin
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